

1 Martha G. Bronitsky
2 Chapter 13 Standing Trustee
3 Po Box 5004
4 Hayward, CA 94540
(510) 266- 5580

4 Trustee for Debtor(s)

5 UNITED STATES BANKRUPTCY COURT
6 NORTHERN DISTRICT OF CALIFORNIA
7 OAKLAND DIVISION

8 In re

9 Calvin Anthony Dobbins

10 debtor(s)

11 Chapter 13 Case No. 23-41140-WJL13

12 **CHAPTER 13 TRUSTEE'S OBJECTION TO CLAIM OF EXEMPTIONS**

13 Martha G. Bronitsky, Chapter 13 Standing Trustee ("Trustee"), objects to the Debtor's
claim of exemptions.

14 The Trustee requests, that the Court take judicial notice of its own records in the case
15 herein in support of the facts set forth below. Fed.R.Evid.201.

16

17 **BACKGROUND & ANALYSIS**

18 1. Debtor filed this case on September 08, 2023.
19 2. California is an opt-out state. Debtors may not take the federal exemptions contained
20 in 11 U.S.C. § 522(D). Cal. Code Civ. Proc. § 703.130. California offers debtors alternative
21 exemption schemes—one based on California's regular judgment exemptions.
(Cal. Code Civ. Proc. §§ 703.010 to 704.995, hereafter the "regular exemptions") and
22 another substantially similar to the federal bankruptcy exemptions (Cal. Code Civ. Proc. §
23 703.140(b), hereafter the "special exemptions"). Cal. Code Civ. Proc. § 703.140. In
24 California, debtors in bankruptcy can choose either the regular exemptions or special
25 special exemptions. Cal. Code Civ. Proc. § 703.140.
26

4. Debtor's homestead exemption in the amount of \$685,600.00 under C.C.P Section 704.730 exceeds the allowed amount of \$678,391.00
5. Debtor exempts electronics in the amount of \$1,700.00. Schedule C fails to state the specific law that allows the exemption. Debtor exempts clothes in the amount of \$5,000.00. Schedule C fails to state the specific law that allows the exemption. Debtor exempts jewelry in the amount of \$300.00. Schedule C fails to state the specific law that allows the exemption.

CONCLUSION

WHEREFORE, the Trustee respectfully objects to the Debtor's claimed exemptions. A hearing shall be set, when and if necessary, based on further investigation and analysis.

RESPECTFULLY SUBMITTED

Date: October 02, 2023

/s/ Martha G. Bronitsky

Signature of Martha G. Bronitsky
Chapter 13 Standing Trustee

1 In re

2 Calvin Anthony Dobbins
3 debtor(s)

4 Chapter 13 Case No.
5 23-41140-WJL13

6 CERTIFICATE OF SERVICE

7 I HEREBY CERTIFY that I have served a copy of the within and foregoing document
8 on the debtor (s), counsel for debtor (s), and if applicable, the creditor, creditor
9 representatives and the registered agent for the creditor by depositing it in the United
10 States mail with first class postage attached thereto.

11 I declare under penalty of perjury under the laws of the State of California that the
12 foregoing is true and correct.

13 Calvin Anthony Dobbins

14 Pro Per

15 2308 Hilliard Cir
16 Antioch, CA 94509

17 (Counsel for Debtor)

18 (Debtor(s))

19 Date: October 02, 2023

20 /s/ Elimary DeGuzman
21 Elimary DeGuzman

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